

EXHIBIT FORM

EXHIBIT (S) OF <hr/> PLAINTIFF (Indicate plaintiff or defendant)			<u>BAD RIVER BAND OF THE LAKE SUPERIOR TRIBE OF CHIPPEWA INDIANS OF THE BAD RIVER RESERVATION</u> V. Case No. <u>3:19-cv-00602-wmc</u> <u>ENBRIDGE ENERGY COMPANY, INC., and ENBRIDGE ENERGY, L.P.</u>	
Date	Identification		Description	Offers, Objections, Rulings, Exceptions
	No.	Witness		
	1		1837 Treaty with the Chippewa; 1842 Treaty of La Pointe; 1854 Treaty with the Chippewa [BRB257332; BRB257318; BRB258258]	R ¹
	2		Tribal Court Code of the Bad River Band of the Lake Superior Tribe of Chippewa Indians [BRB016604]	R
	3		Water Quality Certification and Water Quality Review Code of the Bad River Band of the Lake Superior Tribe of Chippewa Indians [BRB004853]	
	4		Bad River Band of the Lake Superior Tribe of Chippewa Indians Water Quality Standards [BRB004869]	
	5		06/29/09, Environmental Protection Agency, "Decision Document: Approval of the Bad River Band of Lake Superior Tribe of Chippewa Indians' Application For Treatment in the Same Manner as a State for Sections 303(c) and 401 of the Clean Water Act" [BRB056270]	
	6		Bad River Band, Wisconsin Department of Natural Resources, and Red Cliff Band, "Lake Superior Fishing Agreement 2018–2028" [BRB256973]	R
	7		Summary: Map of the Ceded Territories of the 1836, 1837, 1842, and 1853 Treaties and areas in which the Band currently exercises its reserved rights, Line 5, and the Line 5 reroute path	SEO

¹ For abbreviations, please see key on the last page of this document.

	8		Summary: Map series showing features including the Bad River Reservation, the Bad River watershed, the Line 5 pipeline, Line 5 reroute path, and natural, cultural, and tribal land use features	SEO
	9		Summary: Map series showing the Bad River Reservation, the Bad River watershed, and historic and contemporary land ownership	SEO
	10		Summary: Bad River Reservation and Ground Watershed Map [BRB257598]	SEO
	11		01/2022, Great Lakes Indian Fish & Wildlife Commission map, "Proposed Line 5 Pipeline Reroute - Distance From the Proposed Pipeline to the Reservation Boundary in River Miles" [BRB257990]	A
	12		Summary: Footage of Bad River Reservation and watershed	A; SEO
	13		Summary: Photos of Bad River Reservation and watershed	A; SEO
	14		Summary: Photos of Bad River natural, cultural, and historic resources	A; SEO
	15		Summary: Photos of Bad River Band resource utilization	A; SEO
	16		Summary: Photos of Mashkiiziibii Natural Resources Department community activities	A; SEO
	17		Summary: Photos of Lake Superior shoreline in and near Bad River Reservation	A; SEO
	18		Summary: Photos of the Bad River meander (Line 5 crossing)	A; SEO
	19		Summary: Footage of the Bad River meander (Line 5 crossing)	A; SEO
	20		Summary: Photos of the impact of the 2016 flood on the Bad River Reservation	A; SEO
	21		2017, United States Geological Survey "Flood of July 2016 in Northern Wisconsin and the Bad River Reservation," https://pubs.usgs.gov/sir/2017/5029/sir20175029.pdf [BRB116850]	
	22		Summary: Footage of access paths to the Bad River meander	A; SEO

	23		Summary: Footage of Bad River control points (<i>May Use</i>)	A; SEO
	24		Summary: Footage of river velocity (<i>May Use</i>)	A; SEO
	25		Summary: Footage of Slope 6	A; R; SEO
	26		Maps of the Bad River watershed and associated resources [WWE Report Fig. 3, 4]	
	27		Maps of the Bad River watershed and associated resources [WWE Report Fig. 7]	
	28		Summary: Maps of Lake Superior fish spawning sites (<i>May Use</i>) [WWE Report Fig. 75, 76]	R; SEO
	29		Sediment in Lake Superior Resulting from June 2012 Precipitation (<i>May Use</i>) [WWE Report Fig. 77]	R
	30		Depth-Averaged Current in Lake Superior (<i>May Use</i>) [WWE Report Fig. 78]	R
	31		Eagle Nesting Habitat on the Bad River Reservation (<i>May Use</i>) [WWE Report Fig. 79]	R
	32		Summary: Line 5 Depth of Cover (feet) in Vicinity of the Bad River Meander [WWE Report Fig. 11]	SEO
	33		2D Animation of Various Flood Conditions [WWE Rebuttal Report Appendix A]	
	34		Photos of Bad River meander bank [WWE Report Fig. 17 (NRE0004508), 29]	
	35		Summary: Aerial Image of Meanders Along the Bad River in the Vicinity of Line 5 [WWE Report Fig. 23]	SEO
	36		Summary: Aerial View of Line 5 and Bad River Meander Circa 1992 and 2015 [WWE Report Fig. 26]	SEO
	37		Photos of the Bad River meander overland channels [WWE Report Fig. 32, 34]	A

	38		Photos of river blockages on the Bad River [WWE Report Fig. 35, 36, WWE Rebuttal Report Fig. 5, 6]	A
	39		Aerial images of various Bad River cutoffs [WWE Report Fig. 40, 41, 42, 43]	A
	40		1963–2020 Bad River Meander Neck Migration in the Vicinity of Line 5 [WWE Report Fig. 44]	A
	41		Summary: Bad River Migration at Meander Neck Near Line 5 (1963–2021) [WWE Report Fig. 45]	SEO
	42		Summary: Distance to Line 5 from Upstream and Downstream Channel Banks between 1963 and 2020 [WWE Report Table 2]	SEO
	43		Summary: Summer 2016 Hydrograph at USGS 04027000 Gage [WWE Report Fig. 47]	SEO
	44		Summary: Flood Frequency Characteristics at the Bad River Meander at the Line 5 Crossing [WWE Report Table 1]	SEO
	45		Summary: Bank Erosion between May 8, 2016 and July 28, 2016 [WWE Report Fig. 48]	SEO
	46		Summary: Representative Meander Neck Chute Cutoff Channels and Other Overland Flow Paths Mapped in October 2019 [WWE Report Fig. 49]	SEO
	47		Summary: Monument and Camera Locations at the Meander [WWE Report Fig. 54]	SEO
	48		Photos of bank loss at the Bad River meander [WWE Report Fig. 52, 53, 66, 67]	
	49		Steep, Eroding, Collapsing Bank along the Meander [WWE Rebuttal Report Fig. 4]	
	50		Photos and graphics of monuments at the Bad River meander [WWE Report Fig. 55, 56, 58, 59, 60, 61, 62, 63, 68]	A

	51		Summary: Information from Bad River High Flow Events (2014–2021) [WWE Report Table 3]	SEO
	52		Summaries: Tables relating to forces acting on an exposed Line 5 [WWE Report Table 4, 5, 6]	
	53		Summary: Graphs showing oil spill modeling results for four scenarios [WWE Report Fig. 71, 72, 73, 74]	SEO
	54		Summary: Tables Showing Bad River Oil Release Simulation Results for Various Spill Scenarios [WWE Report Tables D-5, D-6, D-7, D-8]	SEO
	55		Decision tree figures for WWE's monitoring and shutdown protocol [WWE Report Fig. O-1, O-2, O-3, O-4, O-5, O-9]	
	56		Tables relating to WWE's monitoring and shutdown protocol [WWE Report Table O-1, O-2, O-3, O-4, O-5, O-6]	
	57		Photographs of Steep, Vertical, and Overhanging Slopes Taken in the Region Enbridge Proposes to Install the Riprap Revetment without Bank Preparation [WWE Rebuttal Report Fig. 7]	
	58		Summary: Proposed Riprap Extent Compared with Recent Erosional Activity [WWE Report Fig. 102]	SEO
	59		Summary: Proposed Conditions versus Existing Conditions Modeled Shear Stress [WWE Rebuttal Report Fig. 12]	SEO
	60		Summary: Slope 18 Site Location Map [WWE Report Fig. 105]	SEO
	61		Photos of Slope 18 exposure [WWE Report Fig. 106, 107]	A
	62		Photos of Slope 18 remediation projects [WWE Report Fig. 109, 113, 117, 118]	A

	63		Top of bank surveys of 2018, 2019, and 2020 (Bad River Meander Neck, Ashland County, Wisconsin - Top of Bank Survey Points 2018 to 2020) [Weatherly Report Fig. 4-8]	
	64		04/2018, Historical bank positions mapped by NREC [Weatherly Report Fig. 4-5, ENB00267271]	
	65		05/28/19, Internal Enbridge email RE: River Velocity - Bad River [ENB00212360]	H
	66		08/27/53 and 05/28/21, Enbridge documents, Moody Engineering Inspection Order and Bad River plan profile sheet [ENB00177622; ENB00417450]	
	67		2013, 2018–2021, Enbridge documents, Enbridge Pipeline Water and Slope Crossing Report Great Lakes and Midwest Regions [ENB00314922; ENB00212318; TETRATECH0002313; TETRATECH0000969; TETRATECH0019363]	H; MD
	68		2015–2021, Enbridge documents, Enbridge Pipeline Integrity Field Forms for the Bad River Crossing and Meander [ENB00004568; ENB00391368; ENB00007406; ENB00007672; ENB00393281; ENB00612596]	
	69		04/16/20, Enbridge document, “Guide, Flood Response” [ENB00704665]	
	70		06/02/21, Enbridge document, “L5 Bad River Meander Monitoring and Shutdown Plan” [ENB00299172]	
	71		05/29/19, Enbridge PowerPoint, “Purge Process: Purging Product from Line 5 across Bad River Reservation” [ENB00179934]	
	72		07/03/19, Enbridge document, “54% vs 90% & Specific momentum” and cover email [ENB00273078; ENB00273075]	408
	73		03/20/20, Enbridge document, “Bad River Purge Summary” and cover email [ENB00310034; ENB00310029]	SEO

	74		04/15/20, Internal Enbridge email RE: Bad River Meander - April 14 Drone Monitoring [ENB00284283]	
	75		03/18/19, Internal Enbridge email RE: Bad River Woody Debris Revetment Option [ENB00031921]	
	76		04/18/19, Internal Enbridge email RE: Bad River meander monitoring [ENB00606675]	
	77		05/01/19, Internal Enbridge communication RE: Conversation with McGuire, Colin (<i>May Use</i>) [ENB00307013]	H
	78		08/11/17, Internal Enbridge email FW: Previous maintenance in Bad River [ENB00199143]	
	79		08/18/17, Internal Enbridge email RE: Hydrotechnical Geohazard - Encroachment Sites***Important*** (<i>May Use</i>) [ENB00211790]	H
	80		08/15/17, Enbridge to Bad River email RE: Work Plan for Line 5 Maintenance Projects on the Bad River Reservation (<i>May Use</i>) [ENB00025974]	
	81		06/24/19, Internal Enbridge email RE: L5 Bad River Meeting Takeaways - Action #4 (<i>May Use</i>) [ENB00196670]	408; R
	82		05/13/20, Internal Enbridge email RE: Bad River Spring Flooding [ENB00275545]	
	83		03/26/20, Internal Enbridge email RE: Bad River Spring Flooding [ENB00310010]	
	84		09/23/19, Enbridge document, "Line 5 Bad River Meander and Slope 18 Fact Sheet" [ENB00354665]	
	85		Particle locations from various oil release scenarios at Bad River [Anderson Report Fig. 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.7, 3.8]	

	86		Oiltrack PowerPoint: Animations of particle tracking scenarios [Anderson Report Ex. 2]	
	87		Graphics of probabilities of surface thickness and shoreline oil exceeding thresholds in Lake Superior (<i>May Use</i>) [Horn Rebuttal Report Fig. 5, 6, 7, 8]	
	88		Control Point locations modeled on the Bad River and downstream distance markers (<i>May Use</i>) [Horn Rebuttal Report App. A, Fig. 4-5]	
	89		Graphics of spill scenario modeling results (<i>May Use</i>) [Horn Rebuttal Report App. A, Fig. 6-3, 6-4, 6-5, 6-6]	
	90		Tables of river areas and shoreline length predicted to be affected by acute toxicity for modeled oil release scenarios (<i>May Use</i>) [Horn Rebuttal Report App. A, Table 6-5, 6-6, 6-7]	
	91		Animation of areas predicted to be impacted by modeled oil spill on Bad River (<i>May Use</i>) [Horn Rebuttal Report Animation]	
	92		Summary: Maps of Hazardous Liquid Accidents in Lakehead System States Reported by Enbridge to PHMSA Since 2010 (with reporting data spreadsheet) [BRB257599]	R; A; F; SEO
	93		Annual Chances of Line 5 Spills by Volume [Etkin Report Table 70]	I; D
	94		Chances of Bad River Reservations Spill Frequency through 2025 [Etkin Report Table 81]	I; D
	95		10/2015, U.S. Fish and Wildlife Service, "Final Damage Assessment and Restoration Plan/Environmental Assessment for the July 25-26, 2010 Enbridge Line 6B Oil Discharge near Marshall, MI," https://www.cerc.usgs.gov/orda_docs/DocHandler.ashx?task=get&ID=1524 [BRB256555]	R; F

	96		04/2016, Federal On-Scene Coordinator Desk Report, "FOSC Report for the Enbridge Line 6B Oil Spill Marshall, Michigan," https://www.epa.gov/sites/default/files/2016-04/documents/enbridge-fosc-report-20160407-241pp.pdf [BRB258607]	R; F
	97		05/23/17, Enbridge Consent Decree, Civil Action No.1:16-cv-914, https://www.epa.gov/sites/default/files/2017-06/documents/enbridge_consent_decree.pdf [BRB257374]	R; F
	98		03/21/22, Minnesota Department of Natural Resources Update on Line 3 Aquifer Breach Investigation and Enforcement https://files.dnr.state.mn.us/features/line3/dnr-update-line-3-aquifer-breach-investigation-and-enforcement-3-21-22.pdf [BRB257371]	R; F
	99		Minnesota Department of Natural Resources webpage, "Enbridge Line 3 Replacement Project" [BRB255613]	R; F
	100		07/10/12, National Transportation Safety Board Accident Report: NTSB/PAR-12/01 PB2012-916501, "Enbridge Incorporated Hazardous Liquid Pipeline Rupture and Release Marshall, Michigan July 25, 2010," https://www.nts.gov/investigations/AccidentReports/Reports/PAR1201.pdf [BRB257062]	R; F
	101		08/15/22, National Transportation Safety Board Pipeline Investigation Report: NTSB/PIR-22/02, "Enbridge Inc. Natural Gas Transmission Pipeline Rupture and Fire; Danville, Kentucky; August 1, 2019," https://www.nts.gov/investigations/AccidentReports/Reports/PIR22002.pdf [BRB257226]	R; F
	102		05/31/22, National Transportation Safety Board Pipeline Investigation Report: PIR-22/01, "Enbridge Inc. Natural Gas Pipeline Rupture; Hillsboro, Kentucky; May 4, 2020," https://www.nts.gov/investigations/AccidentReports/Reports/PIR2201.pdf [BRB257291]	R; F

	103		04/27/21 and 09/19/22, Wisconsin Department of Natural Resource Letter to Enbridge RE: "NOTICE OF VIOLATION / ENFORCEMENT TELECONFERENCE" and WDNR webpage, "02-28-586199 Enbridge Line 13 Blackhawk Valve" [BRB256431; BRB257358]	R; F
	104		08/16/22, Wisconsin Department of Natural Resources Letter to Enbridge RE: Reported Contamination at Enbridge Line 5 – Holmes Road Transfer Station, Old Airport & Holmes Road, Ashland, WI DNR BRRTS and WDNR webpages, Enbridge spill reports [BRB256434; BRB257350; BRB257355; BRB257353]	R; H
	105		08–09/2022 Enbridge and Bad River emails, Beartrap Creek release [BRB258011; BRB258003; BRB257995; BRB257993; BRB257991; BRB257999; BRB258002]	R; H
	106		Summary: Footage of Beartrap Creek release	R; A; SEO
	107		12/22/21, Enbridge document, "Integrated Contingency Plan: Midwest Region (#3145) Response Zone" [ENB00705627]	
	108		Superior Region Line 5 Bad River tactical control point sheets [ENB00654752; ENB00654755 ENB00654737; ENB00654740; ENB00654743; ENB00654746; ENB00654749]	
	109		08/09/11, Enbridge document, "Site Specific Excavation Data" [ENB00424688]	
	110		08/10/12, Enbridge Letter to Pipeline and Hazardous Materials Safety Administration RE: CPF 3-2012-5013 L6B Marshall Michigan - Enbridge Response to July 2012 Notice of Probable Violation and Proposed Civil Penalty, https://primis.phmsa.dot.gov/comm/reports/enforce/documents/320125013/320125013_Operator_Response_to_Notice_08102012.pdf [BRB256449]	R

	111		10/30/12, Pipeline and Hazardous Materials Safety Administration RE: ExxonMobil Silvertip Pipeline Crude Oil Release into the Yellowstone River in Laurel, MT on 7/1/2011, https://www.phmsa.dot.gov/sites/phmsa.dot.gov/files/docs/ExxonMobil_HL_MT_10-2012.pdf [BRB256710]	R
	112		11/19/20 and 08/09/21, Pipeline and Hazardous Materials Safety Administration, “Notice Of Probable Violation Proposed Civil Penalty and Proposed Compliance Order” and “Final Order,” CPF 3-2020-5009, https://primis.phmsa.dot.gov/comm/reports/enforce/documents/320205009/320205009_NOPV%20PCP%20PCO_11192020_text.pdf and https://primis.phmsa.dot.gov/comm/reports/enforce/documents/320205009/320205009_Final%20Order_08092021_(17-158844S).pdf [BRB256490; BRB256478]	R
	113		02/10/21 and 10/12/21, Pipeline and Hazardous Materials Safety Administration, “Notice Of Probable Violation Proposed Civil Penalty and Proposed Compliance Order” and “Final Order,” CPF 3-2021-5002, https://primis.phmsa.dot.gov/Comm/Reports/enforce/documents/320215002/320215002_NOPV%20PCP%20PCO_02102021.pdf and https://primis.phmsa.dot.gov/Comm/Reports/enforce/documents/320215002/320215002_Final%20Order_10122021_(18-157171S)_text.pdf [BRB256526; BRB256511]	R
	114		11/15/07, Pipeline and Hazardous Materials Safety Administration, Warning Letter CPF 3-2007-5031W, https://primis.phmsa.dot.gov/comm/reports/enforce/documents/320075031W/320075031W_Warning%20Letter_11152007.pdf [BRB256446]	R
	115		11/20/20, Pipeline and Hazardous Materials Safety Administration, Warning Letter CPF 3-2020-5010W, https://primis.phmsa.dot.gov/comm/reports/enforce/documents/320205010W/320205010W_Warning%20Letter_11202020.pdf [BRB256504]	R

	116		01/2017, State and Federal Trustees of Montana and U.S. Department of the Interior, "Final Programmatic Environmental Assessment for the ExxonMobil Pipeline Company July 1, 2011 Yellowstone River Oil Spill," https://dojmt.gov/wp-content/uploads/nrdp-yellowstone-restoration.pdf [BRB257623]	R
	117		05/17/04, U.S. Department of Transportation RE: CPF No 3-2002-5015 Final Order, https://primis.phmsa.dot.gov/comm/reports/enforce/documents/320025015/320025015_final%20order_05172004_text.pdf [BRB256441]	R
	118		Summary: Mashkiiziibii Natural Resources Department organizational documents (<i>May Use</i>)	SEO
	119		Summary: Mashkiiziibii Natural Resources Department access permits (<i>May Use</i>)	SEO
	120		Summary: Enbridge meander project applications	SEO
	121		Summary: Bad River Band project review process	SEO
	122		Mashkiiziibii Natural Resources Department Project Review Template (<i>May Use</i>) [BRB018924]	H; F
	123		12/20/19 and 03/27/20, Enbridge applications, Bad River Meander Overland Channel Erosion Prevention Project [BRB004967; BRB021661]	
	124		2020, First Round Bad River Decisional Documents for Enbridge's Bad River Meander Overland Channel Erosion Prevention Project Application [BRB018872; BRB018868; BRB018885-86; BRB018884; BRB018777; BRB018241; BRB018798]	
	125		12/09/20, Enbridge application, Bad River Meander Overland Channel Erosion Prevention Project [BRB162760]	

	126		2021, Second Round Bad River Decisional Documents for Enbridge's Bad River Meander Overland Channel Erosion Prevention Project Application [BRB202344; BRB202342; BRB202529; BRB172830; BRB200703]	
	127		01/11/21, Enbridge application, Bad River Meander Overland Channel Armoring Project [ENB00292924]	
	128		2021, Bad River Decisional Documents for Enbridge's Bad River Meander Overland Channel Armoring Project Application [BRB202334; BRB202327; BRB202493; BRB126292; BRB202516]	
	129		12/06/19, Enbridge application, Bad River Meander Tree Revetment Project [BRB026327]	
	130		2020, First Round Bad River Decisional Documents for Enbridge's Bad River Meander Tree Revetment Project Application [BRB018848; BRB018856; BRB041829; BRB020435; BRB019475]	
	131		04/02/20, Enbridge application, Bad River Meander Tree Revetment Project [BRB021674]	I (BRB021673)
	132		2020, Second Round Bad River Decisional Documents for Enbridge's Bad River Meander Tree Revetment Project Application [BRB023156; BRB018877; BRB133833; BRB133825; BRB200681; BRB044809; BRB018798]	
	133		12/09/20, 03/09/21, 03/17/21 Enbridge applications, Bad River Meander Tree Revetment Project [BRB163929; BRB163327; ENB00582523]	
	134		2021, Third Round Bad River Decisional Documents for Enbridge's Bad River Meander Tree Revetment Project Application [BRB202372; BRB202370; BRB200675; ENB00298690; BRB200703]	

	135		01/29/20, Natural Resources Conservation Service Email to Tillison RE: Bad River - Data about Enbridge Line 5 Projects [BRB019507]	
	136		10/02/20, Enbridge application, Bad River Meander Rip Rap Stabilization Project [BRB132945]	
	137		2021, First Round Bad River Decisional Documents for Enbridge's Bad River Meander Rip Rap Stabilization Project Application [BRB150778; BRB136776; BRB140871; BRB140844; BRB133347; BRB056372; BRB133381]	
	138		07/23/21, Enbridge application, Bad River Meander Rip Rap Stabilization Project [BRB210072]	
	139		2021, Second Round Bad River Decisional Documents for Enbridge's Bad River Meander Rip Rap Stabilization Project Application [BRB202286; BRB202325; BRB202401; BRB201403; BRB202441]	
	140		05/27/22, Enbridge application, Bad River Meander Rip Rap Stabilization Project [ENB00706748; ENB00706281; ENB00706336; ENB00706288; ENB00706294; ENB00706309; ENB00706321; ENB00706325; ENB00706339; ENB00706569; ENB00706728; ENB00706740; ENB00544806]	
	141		12/06/19 and 04/21/20, Enbridge applications, Geotechnical Borings [BRB016258; BRB020482]	
	142		2020, First Round Bad River Decisional Documents for Enbridge's Bad River Meander Geotechnical Borings Application [BRB018860; BRB018881; BRB018864; BRB018882-83; BRB018736]	I (BRB018881-89 must be added to BRB018882-83)
	143		09/22/21, Enbridge application, Geotechnical Borings [ENB00302032]	

	144		05/05/20 and 10/20/20, Enbridge Applications, Bad River Meander Line 5 HDD Project [BRB125353; BRB169629]	
	145		2020, First Round Bad River Decisional Documents for Enbridge's Bad River Meander Line 5 HDD Project Application [BRB056380; BRB140925; BRB056475; BRB140924; BRB182519; BRB056318; BRB056355; BRB056653]	
	146		03/18/21, Enbridge application, Bad River Meander Line 5 HDD Project [BRB164489]	
	147		2021, Second Round Bad River Decisional Documents for Enbridge's Bad River Meander Line 5 HDD Project Application [BRB202252; BRB202250; BRB202447; ENB00571731; BRB200703]	
	148		10/15/19, Internal Enbridge email FW: Tree Revetment Design Comments - Due by 10/16 (<i>May Use</i>) [ENB00357122]	
	149		02/03/20, Internal Enbridge Email RE: Phase 1 clarification (<i>May Use</i>) [ENB00237780]	H
	150		09/17/19, Enbridge PowerPoint, "Line 5 Bad River Meander Scope Decision" and cover email [BARR0105431; BARR0105430]	P (<i>see Enbridge Resp. to Band MiL No. 5</i>)
	151		10/30/19, Internal Enbridge email RE: Tree Revetment Extent Concerns [TETRATECH0011973]	H
	152		10/06/21, Internal Enbridge email RE: Line 5 Meander Path forward (<i>May Use</i>) [ENB00527091]	H
	153		01/09/20, Internal Enbridge email RE: Bad River HDD Planning (<i>May Use</i>) [ENB00356793]	H
	154		08/27/21, Internal Enbridge email RE: Anchor Supports [ENB00491729]	H

	155		01/10/20, Internal Enbridge email RE: L5 Meander Access and Land Issues (<i>May Use</i>) [ENB00666587]	I (ENB00666589-592)
	156		03/03/20, Internal Enbridge email RE: Bad River HDD - updated soil boring Clarifications (<i>May Use</i>) [ENB00389507]	H
	157		2/14/20, Internal Enbridge email and attachment RE: L5 Bad River Status Layout (<i>May Use</i>) [BARR0181253; BARR0181255]	H
	158		04/29/20, Internal Enbridge email RE: L5 Meander HDD (<i>May Use</i>) [ENB00395455]	H
	159		11/26/19, Internal Enbridge email RE: HDD Risks (<i>May Use</i>) [ENB00194264]	
	160		Enbridge PowerPoint, "Line 5 Meander" (<i>May Use</i>) [ENB00668901]	
	161		12/09/19, Enbridge PowerPoint, "Phase 3 Map" and cover email (<i>May Use</i>) [ENB00684146; BARR0277829]	MD; I
	162		06/22/20, Internal Enbridge emails RE: L5 Meander HDD [BARR0144406; ENB00389479]	H; MD
	163		09/16/19, Enbridge applications, Slope 18 Phase 1 Mitigation Plan (<i>May Use</i>) [BRB043626; BRB043624]	
	164		2019, Bad River Decisional Documents for Enbridge's Slope 18 Phase 1 Project Application (<i>May Use</i>) [BRB083211; BRB001976; BRB100363; BRB018901; BRB083209]	H
	165		08/30/19, Enbridge applications, Slope 18 Phase 2 Mitigation Plan and cover email (<i>May Use</i>) [BRB043634; BRB043624]	

	166		2020, Bad River Decisional Documents for Enbridge's Slope 18 Phase 2 Project Application (<i>May Use</i>) [BRB232759; BRB026821; BRB026249; BRB026827; BRB237603; BRB026834; BRB060998; BRB018798; BRB026799; BRB026797; BRB026875; BRB026810; BRB026724; BRB026827; BRB026842; BRB026844; BRB026845; BRB026850; BRB026852; BRB026853; BRB026866]	H
	167		WWE Technical Memorandums for Slope 18 (<i>May Use</i>) [BRB043986; ENB00009823; BRB039952]	H
	168		06/15/18, Tetra Tech Technical Memorandum RE: Slope Crossing 18, Ashland County, Wisconsin (<i>May Use</i>) [ENB00282765]	H
	169		08/22/19, Enbridge document, "Slope 18 within Bad River Reservation Site Evaluation Form" (<i>May Use</i>) [ENB00197433]	
	170		04/08/20, Stantec "Third-Party Review - Line 5 Eroded Gully Remediation Design Bad River Reservation, Ashland County, Wisconsin" and cover email (<i>May Use</i>) [ENB00306567; ENB00306566]	H
	171		01/21/20, Internal Enbridge email FW: [External] RE: Storm water Design Basis (<i>May Use</i>) [ENB00306768]	H
	172		09/20/19, Internal Enbridge email RE: Draft - Line 5 at Slope 18 Memo (<i>May Use</i>) [ENB00680051]	H
	173		03/09/20, Internal Enbridge email RE: Slope 18 Site Schedule (<i>May Use</i>) [ENB00657590]	H
	174		02/17/20, Internal Enbridge email RE: Planned work going forward (<i>May Use</i>) [ENB00386632]	H
	175		08/22/19, Internal Enbridge email RE: Critical Span Chart for Denomie Creek Crossing on Line 5***Time Sensitive*** (<i>May Use</i>) [ENB00177832]	

	176		03/10/20, Enbridge and Bad River email RE: Slope 18 Revised Plans (<i>May Use</i>) [ENB00308208]	
	177		03/10/20, Internal Enbridge email FW: Bad River Samples (<i>May Use</i>) [TETRATECH0004940]	H
	178		03/19/20, Internal Enbridge email RE: 3-18 Update: FYI- BRB Stance: Slope 18 Work today (<i>May Use</i>) [ENB00696547]	
	179		08/28/19, Enbridge PowerPoint, "High Value Learning Event, Inadvertent Load Release" [ENB00235805]	R
	180		07/27/19, A0P5 - Long Line Helicopter Unexpected Load Release - US MLP Preliminary Investigation [ENB00053358]	R
	181		10/30/18, Enbridge email to Bad River RE: Update on Enbridge Helicopter Incident [BRB071219]	R
	182		10/31/18, The London Free Press, "Sarnia pilot killed in Wisconsin helicopter crash fondly remembered" [BRB257308]	R; H; A
	183		Summary: Photos of Enbridge's 10/2018 helicopter crash	R; A; SEO
	184		04/29/20, Enbridge PowerPoint, "Slope 6" and cover email [ENB00312983; ENB00312981]	R
	185		07/20/20, Internal Enbridge email RE: Meeting Minutes - Bad River Geohazard Assessments [ENB00492537]	H
	186		11/08/19, Internal Enbridge email RE: Updated Tree Revetment Exhibits [ENB00614280]	H
	187		06/19/18, Internal Enbridge email FW: Left you a VM (<i>May Use</i>) [ENB00318860]	R; H
	188		02/07/20, Internal Enbridge email RE: Edgette Issues- Meander [ENB00568605]	

	189		09/30/21, Enbridge document, Line 5 Throughput Data [ENB00417465; ENB00417466; ENB00417467; ENB00417468; ENB00417469]	
	190		Summary: Nominal Line 5 After Tax Income by Year and Product (<i>May Use</i>) [Olive Report Table 6]	SEO
	191		01/31/22, Laura Olive Allocation Model (<i>May Use</i>) [ENB00429917]	I
	192		04/27/20, Makhholm, Jeff. D. and Laura T.W. Olive. "The Discounted Cash Flow Method of Valuing Damages in Arbitration," https://www.nera.com/content/dam/nera/publications/2019/NERA%20Makhholm%20%20Olive%20Investment-Treaty-Arbitration-Review%20Edition-4.pdf (<i>May Use</i>) [BRB258013]	H
	193		09/30/20, Enbridge document, "Lakehead System (EEP US Mainline Assets) PROFORMA PROFIT/LOSS - LINE 5" [ENB00417470]	
	194		08/17/21, Enbridge memo RE: L5 Pro-Forma Income Statement Methodology [ENB00417472]	
	195		08/17/21, Enbridge document, L5 Pro-Forma Income Statement Methodology Worksheet [ENB00417479]	
	196		[Requested] 2022, Updated pro-forma Line 5 Income Statement	R; P
	197		04/17/14, 2013 Q4 Enbridge Energy, L.P. FERC Financial Report FERC Form No. 6: ANNUAL REPORT OF OIL PIPELINE COMPANIES and Supplemental Form 6-Q: Quarterly Financial Report (<i>May Use</i>) [ENB00426920]	
	198		04/22/15, 2014 Q4 Enbridge Energy, L.P. FERC Financial Report FERC Form No. 6: ANNUAL REPORT OF OIL PIPELINE COMPANIES and Supplemental Form 6-Q: Quarterly Financial Report (<i>May Use</i>) [ENB00427110]	

	199		04/15/16, 2015 Q4 Enbridge Energy, L.P. FERC Financial Report FERC Form No. 6: ANNUAL REPORT OF OIL PIPELINE COMPANIES and Supplemental Form 6-Q: Quarterly Financial Report (<i>May Use</i>) [ENB00427314]	
	200		04/06/18, 2016 Q4 Enbridge Energy, L.P. FERC Financial Report FERC Form No. 6: ANNUAL REPORT OF OIL PIPELINE COMPANIES and Supplemental Form 6-Q: Quarterly Financial Report (<i>May Use</i>) [ENB00427512]	
	201		05/01/19, 2017 Q4 Enbridge Energy, L.P. FERC Financial Report FERC Form No. 6: ANNUAL REPORT OF OIL PIPELINE COMPANIES and Supplemental Form 6-Q: Quarterly Financial Report (<i>May Use</i>) [ENB00427894]	
	202		05/01/19, 2018 Q4 Enbridge Energy, L.P. FERC Financial Report FERC Form No. 6: ANNUAL REPORT OF OIL PIPELINE COMPANIES and Supplemental Form 6-Q: Quarterly Financial Report (<i>May Use</i>) [ENB00428083]	
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	204		04/19/21, 2020 Q4 Enbridge Energy, L.P. FERC Financial Report FERC Form No. 6: ANNUAL REPORT OF OIL PIPELINE COMPANIES and Supplemental Form 6-Q: Quarterly Financial Report (<i>May Use</i>) [ENB00426200]	
	205		04/17/22, 2021 Q4 Enbridge Energy, L.P. FERC Financial Report FERC Form No. 6: ANNUAL REPORT OF OIL PIPELINE COMPANIES and Supplemental Form 6-Q: Quarterly Financial Report (<i>May Use</i>) [ENB00708365]	
	206		09/08/22, 2022 Q2 Enbridge Energy, L.P. FERC Financial Report FERC Form No. 6: ANNUAL REPORT OF OIL PIPELINE COMPANIES and Supplemental Form 6-Q: Quarterly Financial Report (<i>May Use</i>) [ENB00708470]	

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	208		7/29/2022, Enbridge document, “Second Quarter 2022: Supplemental Package” (<i>May Use</i>) [BRB256690]	
	209		10/02/20, Enbridge PowerPoint, “L5 WSRP Permitting Outlook” and cover email [ENB00511859; ENB00511854]	
	210		05/21/21, Enbridge Energy Limited Partnership Oil Pipeline Filing with FERC re depreciation [BRB214659]	
	211		11/25/16, Enbridge Energy Limited Partnership Oil Pipeline Filing with FERC re depreciation [BRB256841]	
	212		Summary: Enbridge Weighted Average Cost of Capital as listed in FERC Form 6 from 2013-2021	R; F; SEO
	213		Summary: Enbridge’s Profits from Operating Line 5 (<i>May Use</i>) [Leistra-Jones Amended Report Ex. 1]	SEO
	214		Summary: Enbridge’s Economic Benefit from Delaying Construction of Reroute (<i>May Use</i>) [Leistra-Jones Amended Report Ex. 2]	SEO
	215		Summary: Lakehead System and Line 5 Net Income Excluding Depreciation, and Cash Flow from Operations, June 3, 2013–September 30, 2021 (<i>May Use</i>) [Leistra-Jones Amended Report Ex. 3]	SEO
	216		Summary: Average Returns by Year of Various Asset Classes, 2013–2021 (<i>May Use</i>) [Leistra-Jones Amended Report Ex. 5]	SEO
	217		Summary: Payment Due to the Band Under Various Profit Metrics, Net Present Value as of October 24, 2022 (<i>May Use</i>) [Leistra-Jones Amended Report Ex. 6]	SEO

	218		Summary: Economic Benefit of Delay Calculations [Leistra-Jones Amended Report Appendix D]	SEO
	219		2003, Stewart Myers and Richard Brealey, Principles of Corporate Finance, 7th edition (Irwin/McGraw-Hill, NY) (<i>May Use</i>)	
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	221		05/21/21, Enbridge Energy Limited Partnership Oil Pipeline Tariff Filing RE: FERC Tariff No. 43.40.0 (<i>May Use</i>) [ENB00426364]	
	222		11/19/21, Enbridge document, “Enbridge Energy Infrastructure Assets” (<i>May Use</i>) [ENB00429664]	
	223		03/23/20, Internal Enbridge email and attachment RE: Line 5 re-route Risk Summary for BOD Summary (<i>May Use</i>) [ENB00524858; ENB00524859]	SEO
	224		08/10/20, Enbridge PowerPoint, “Line 5 Strategy Capital Allocation Committee” (<i>May Use</i>) [ENB00574556]	
	225		07/12/19, Oliver Wyman, Canadian Crude Oil Transportation, “Comparing the Safety of Pipelines and Railways” [BRB226583]	R
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	227		05/05/15, US Energy Information Administration “Crude by rail accounts for more than half of East Coast refinery supply in February” [BRB257338]	R
	228		12/20/13, Kinder Morgan “Kinder Morgan and Imperial Oil to Build Edmonton Crude Oil Rail Terminal” (<i>May Use</i>) [BRB256970]	R

	229		Superior Energy Systems “Midstream and Industrial Equipment” (<i>May Use</i>) [BRB226814]	R
	230		Summary: U.S. Williston Basin Rail Loading Capacity (<i>May Use</i>) [Meyer Rebuttal Report Table 2]	R; SEO
	231		Summary: Enbridge Tariff FERC 45.27.0 – Cost by Oil Type (<i>May Use</i>) [Meyer Rebuttal Report Table 6]	R; SEO
	232		Summaries: Graphics relating to Randy Meyer’s case study on the cost of shipping a barrel of heavy oil on rail versus pipeline (<i>May Use</i>) [Meyer Rebuttal Report Fig. 1, 2, 3, 4, 5, 6]	R
	233		Imperial Oil, Sarnia, ON – Prepared Rail Site (<i>May Use</i>) [Meyer Rebuttal Report Fig. 7]	R
	234		VIP Rail: Rail Services (<i>May Use</i>) [Meyers Report Fig. 8]	R
	235		Photo of portable propane transloader (<i>May Use</i>) [Meyer Rebuttal Report Fig. 9]	R
	236		2018, V.I.P. Rail, Land Available (<i>May Use</i>) [BRB257009]	R
	237		08/23/22, Canada Energy Regulator, “Canadian Crude Oil Exports by Rail – Monthly Data” [BRB256542]	R
	238		03/22/22, Oil Sands Magazine “Project Data Crude-by-Rail” (<i>May Use</i>) [ENB00436836]	R
	239		Tidal Energy Marketing webpage, “NGL,” https://www.tidal-energy.com/ngl (<i>May Use</i>) [BRB257316]	R
	240		06/29/22, U.S. Energy Information Administration, “Weekly Michigan Propane Residential Price” (<i>May Use</i>) [BRB257363]	R
	241		06/29/22, U.S. Energy Information Administration, “Weekly Wisconsin Propane Residential Price” (<i>May Use</i>) [BRB257367]	R

	242		Summary: U.S. Propane Production and Imports, 2010–2021 [Steiner Rebuttal Report Ex. 4]	R; SEO
	243		Summary: U.S. Propane Consumption and Exports, 2010–2021 [Steiner Rebuttal Report Ex. 5]	R; SEO
	244		Petroleum Administration for Defense Districts [Steiner Rebuttal Report Ex. 7]	R
	245		Summary: PADD 2 Propane Production and Imports, 2010–2021 [Steiner Rebuttal Report Ex. 9]	R; SEO
	246		Summary: PADD 2 Propane Consumption, Transfers, and Exports, 2010–2021 [Steiner Rebuttal Report Ex. 10]	R; SEO
	247		Summary: Projected Propane Production, Exports, and Demand in Canada, 2021–2040 [Steiner Rebuttal Report Ex. 16]	R; SEO
	248		Summary: U.S. Normal Butane and Isobutane Supply and Imports, 2010–2021 [Steiner Rebuttal Report Ex. 19]	R; SEO
	249		Summary: U.S. Normal Butane and Isobutane Consumption and Exports, 2010–2021 [Steiner Rebuttal Report Ex. 20]	R; SEO
	250		Summary: Canada Butane Supply and Imports, 2010–2021 [Steiner Rebuttal Report Ex. 21]	R; SEO
	251		Summary: Results of Model of Alternative Propane Supply Scenarios [Steiner Rebuttal Report Ex. 23, 24, 25, 27 (as corrected in Attachment 2 of Steiner report errata)]	R; SEO
	252		Summary: Retail Propane Prices in Wisconsin and Michigan [Steiner Rebuttal Report Ex. 28]	R; SEO
	253		Summary: Comparison of Estimates of PSC and Earnest Impact on Regional Propane Costs if Line 5 Closes (<i>May Use</i>) [Steiner Rebuttal Report Ex. 29]	R; SEO

	254		Summary: Green-house-gas Emissions by Transportation Mode Due to Fuel Used, per Gallon Transported, Line 5 Distance Equivalent (<i>May Use</i>) [Steiner Rebuttal Report Ex. 53]	R; SEO
	255		Summary: Green-house-gas Emissions by Transportation Mode Due to Fuel Used, per Gallon Transported, Janesville to Rapid River Actual Routing (<i>May Use</i>) [Steiner Rebuttal Report Ex. 54]	R; SEO
	256		Summary: Green-house-gas Emissions by Transportation Mode Due to Fuel Used, per Gallon Transported, Edmonton, Alberta, to Superior, Wisconsin Actual Routing (<i>May Use</i>) [Steiner Rebuttal Report Ex. 55]	R; SEO
	257		Summary: Green-house-gas from Propane Transportation and Household Use, Line 5 Distance Equivalent (<i>May Use</i>) [Steiner Rebuttal Report Ex. 56]	R; SEO
	258		Summary: Route Alternatives (<i>May Use</i>) [Steiner Rebuttal Report Ex. A3]	R; SEO
	259		Summary: Route Alternatives (<i>May Use</i>) [Steiner Rebuttal Report Ex. A4]	R; SEO
	260		01/11/21, U.S. Energy Information Administration, “U.S. Natural Gas Plant Liquids, Reserves Based Production” (<i>May Use</i>) [BRB257340]	R
	261		11/30/21, Michigan Department of Transportation, “Propane by Rail in Michigan’s Upper Peninsula” [BRB214315]	R
	262		02/06/20, Jill Steiner propane transportation model (<i>May Use</i>) [BRB239616]	R
	263		10/09/14, U.S. Energy Information Administration, “Lower petrochemical use of propane driven by wider price spread between propane and ethane” (<i>May Use</i>) [BRB257336]	R

	264		01/23/18, Independent Commodity Intelligence Services, Stefan Baumgarten, “US Kinder Morgan starts up Utopia ethane pipeline to Canada” (<i>May Use</i>) [ENB00437896]	H; A; R
	265		04/17/20, Department of Environment, Great Lakes, and Energy, “Upper Peninsula Energy Task Force Committee Recommendations Part I – Propane Supply” (<i>May Use</i>) [ENB00490300]	H; A
	266		08/05/19, Landslide Nbr. 11-6, Robert Rogowsky and Jeffrey Klenk, “Economists Must be Careful in Their Use of IMPLAN to Analyze Public Interest Issues in Section 337 Cases” (<i>May Use</i>) [Grainger Deposition Exhibit 6]	H; A; R
	267		Enbridge document, “IMPLAN Replication” document describing Grainger IMPLAN methodology [ENB00441087]	R
	268		04/08/22, Enbridge document, “Results Summary” document describing Grainger IMPLAN methodology (<i>May Use</i>) [ENB00665204]	R; SEO
	269		05/2018, U.S. Energy Information Administration, “Table CE2.8 Annual household fuel expenditures in the Midwest—totals and averages, 2015” (<i>May Use</i>) [ENB00441093]	R
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	271		01/09/22, Enbridge document, Grainger notes on Residential Energy Consumption Survey Methodology (<i>May Use</i>) [ENB00441096]	R
	272		11/15/19, Letter from Congressman Ron Kind (<i>May Use</i>) [ENB00490478]	H; R
	273		02/14/20, IMPLAN, Candi Clouse, “Output, Value Added, & Double-Counting” [BRB231329]	H. A; R

	274		01/29/22, IMPLAN, Candi Clouse, "How IMPLAN Works" (<i>May Use</i>) [ENB00490166]	H. A; R
	275		02/26/20, IMPLAN, Maria Lucas, "Understanding Output" (<i>May Use</i>) [BRB257343]	H. A; R
	276		04/16/21, IMPLAN, Candi Clouse, "Overview of Assumptions of Input-Output Analysis" (<i>May Use</i>) [BRB257057]	H. A; R
	277		Enbridge webpage, "The Mainline pipeline system," https://www.enbridge.com/-/media/Enb/Documents/Factsheets/FS_ENB_Mainline_system.pdf [BRB256961]	
	278		Summary: Est. Deliveries from Lines 78/5 to 10 refineries (000 b/d) in 2021 Chart [ESAI Report Fig. 4]	R; SEO
	279		Canadian Crude Flexibility, MPC Sept 2019 Investor Presentation and Bakken Crude Oil Optimization MPC Sept 2019 Investor Presentation [ESAI Report Fig. 5 and 6]	R
	280		Summary: US Refinery reliance on Line 5 [ESAI Report Fig. 7]	R; SEO
	281		Map of Crude Oil Pipelines Into and Out of Patoka [ESAI Report Fig. 11]	R
	282		Summary: Crude by Rail in the U.S. and from Canada (000b/d) [ESAI Report Fig. 12]	R; SEO
	283		Petroleum Product Pipelines (USGC to IL-IN) Map [ESAI Report Fig. 16]	R
	284		Summary: Midwest Petroleum Product Pipelines Map [ESAI Report Fig. 17]	R; SEO
	285		Summary: Petroleum Product Movements: USGC (PADD III) to Midwest (PADD II) [ESAI Report Fig. 18]	R; SEO

	286		Summary: Other IL-IN-OH Refiners [ESAI Report Fig. 19 (updated version including 2022 YTD data)]	R; SEO
	287		Summary: Refining Margin: Light (3:2:1) [ESAI Report Fig. 28]	R; SEO
	288		Summary: Discount of Canadian Crude Below WTI Houston [ESAI Rebuttal Report Fig. 3]	R; SEO
	289		Summary: Light Crude Delivered to Quebec [ESAI Rebuttal Report Fig. 4]	R; SEO
	290		Summary: Refining margin: 50% Light\50% Heavy (3:2:1) [ESAI Rebuttal Report Fig. 7]	R; SEO
	291		Summary: US Refining District IIK Asphalt Capacity & Production [ESAI Rebuttal Report Fig. 10]	R; SEO
	292		Summary: 2019 Energy Expenditures in Michigan and Wisconsin by Sector [\$MM] [ESAI Rebuttal Report Fig. 13]	R; SEO
	293		State of Michigan Before the Michigan Public Service Commission, Pre-Filed Testimony of Thomas Hodge and Exhibits, Case No. U-17020 [BRB256393]	R
	294		02/28/22, Enbridge Pipelines Inc., “Rules And Regulations Governing The Transportation of Crude Petroleum by Pipeline,” CER No. 499 [BRB226449]	R
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	296		05/12/21, The Canadian Press, Virginie Ann, “Quebec’s location and energy alternatives give it options if Line 5 closes: expert” [BRB257297]	H. A; R
	297		Summary: 09/06/22, 3 Month Average Retail Price Chart for Gasoline [BRB256541]	H; A; R; SEO

	298		06/15/22, American Petroleum Institute and American Fuel and Petrochemical Manufacturers, Letter to President Biden [ENB00705857]	H; R
	299		06/14/22, Letter from President Biden to American Petroleum Institute and American Fuel and Petrochemical Manufacturers [ENB00705887]	H; R
	300		06/22/22, U.S. Energy Information Administration, “Table 13. Refineries Permanently Shutdown By PAD District Between January 1, 1992 and January 1, 2022” [ENB00705944–45]	I; R; H; F
	301		07/28/22, U.S. Energy Information Administration, Refinery Utilization and Capacity chart [Earnest Deposition Exhibit 6]	R; H; F
	302		06/2022, U.S. Energy Information Administration, “Short-term Energy Outlook” tables (<i>May Use</i>) [ENB00705942–43]	I; R; H; F
	303		12/06/21, Enbridge PowerPoint, “Liquid Pipelines” (<i>May Use</i>) [BRB231548]	R
	304		Earnest Report Errata Sheet	R
	305		Earnest Report Workpaper No. 11	I; R; D/Cumulative
	306		09/19/22, Federal Reserve Economic Data, “US Regular All Formulations Gas Price” (<i>May Use</i>) [BRB258025]	R; H; F
	307		09/19/22, U.S. Energy Information Administration, “Gasoline and Diesel Fuel Update” (<i>May Use</i>) [BRB256963]	R; H; F
	308		Enbridge webpage, “The Great Lakes Tunnel Project,” https://www.enbridge.com/projects-and-infrastructure/public-awareness/line-5-michigan/great-lakes-tunnel-project (<i>May Use</i>) [BRB257315]	R

	309		07/28/22, 1 Month Average Retail Price Chart [Earnest Deposition Exhibit 1]	R; H; F
	310		02/04/21, Suncor Energy Fourth Quarter 2020 Financial Results Call [Earnest Deposition Exhibit 12]	A; R
	311		06/05/14, Progressive Railroading, "CHS to build CN-served propane terminal in Wisconsin" [BRB257306]	H; R
	312		10/31/14, CHS, Inc. "CHS to open Wisconsin propane rail terminal," https://www.prnewswire.com/news-releases/chs-to-open-wisconsin-propane-rail-terminal-281073622.html [BRB256551]	H; R
	313		Google Earth Image of proximity of CN rail line to Enbridge Superior Terminal (<i>May Use</i>) [Brisben Rebuttal Report Fig. 2]	A; R
	314		Google Earth Image of possibility of installing enough track on Enbridge and Cenovus land to support unit train facility in Superior (<i>May Use</i>) [Brisben Rebuttal Report Fig. 3]	A; R
	315		Canada 2020 Propane and Butanes Exports by Mode of Transportation (<i>May Use</i>) [Brisben Rebuttal Report Fig. 5]	A; R
	316		Proximity of BP Toledo to Midwest Facility 1 (<i>May Use</i>) [Brisben Rebuttal Report Fig. 14]	A; R
	317		Movements of Crude Oil and Selected Products by Rail (<i>May Use</i>) [Brisben Rebuttal Report Fig. 20]	A; R
	318		Flammable Liquid Fleet / DOT 117 Tank Cars (<i>May Use</i>) [Brisben Rebuttal Report Fig. 22]	A; R
	319		Proximity of VIP Rail-Sarnia to Imperial Oil facility (<i>May Use</i>) [Brisben Rebuttal Report Fig. 23]	A; R

	320		Proximity of VIP Rail-Corunna to Shell facility (<i>May Use</i>) [Brisben Rebuttal Report Fig. 24]	A; R
	321		Proximity of underutilized brownfield site (<i>May Use</i>) [Brisben Rebuttal Report Fig. 25]	A; R
	322		Ambassador Pipeline Update (<i>May Use</i>) [Brisben Rebuttal Report Fig. 30]	A; R
	323		Map showing WATCO shortline rail holdings in Wisconsin and UP (<i>May Use</i>) [Brisben Rebuttal Report Fig. 31]	A; R
	324		07/09/19, Marathon Petroleum Company LP, “Enbridge Line 5 Study Impact of a Line 5 Shutdown” (<i>May Use</i>) [BRB225888]	H; A, R
	325		07/2017, Marathon Petroleum Company LP, “Enbridge Line 5 Study Impact of a Line 5 Shutdown” (<i>May Use</i>) [BRB225799]	H; A, R
	326		02/09/22, NGL Energy Partners Earnings Call (<i>May Use</i>) [BRB257029]	H. A. R
	327		11/09/21, NGL Energy Partners Earnings Call (<i>May Use</i>) [BRB257014]	H. A. R
	328		07/12/13, Enbridge document, “Class 3 Pipeline Hydraulic Design Proposal Line 78 & 6B 570kbpd Pipeline Expansion Project” (<i>May Use</i>) [ENB00663379]	R
	329		2022, Enbridge document, “Pipeline System Configuration,” https://www.enbridge.com/-/media/Enb/Documents/maps/2022-LPCH/2022_RB_Pipeline_System_Configuration_Jan2022_2.pdf (<i>May Use</i>) [BRB256440]	R
	330		11/13/20, State of Michigan, Office of The Governor and Department of Natural Resources, “Notice of Revocation and Termination of Easement” [BRB226745]	R

	331		06/21/21, Enbridge PowerPoint, "Line 5 Management Update L5 Relocation" [ENB00565003]	
	332		05/19/21, Enbridge Energy, Limited Partnership, Appendix E, Revenue Requirement Calculation for Facilities Surcharge (<i>May Use</i>) [ENB00426348]	R
	333		Summary: Enbridge internal reroute in-service-date projections	A; SEO
	334		Summary: Enbridge internal reroute timeline	A; SEO
	335		Summary: Reroute permitting requirements	A; SEO
	336		Summary: Delays in Enbridge project permitting and construction	A; SEO
	337		Summary: Enbridge Sandpiper project	R; SEO
	338		06/16/22, Enbridge document, "Matt Kindred – Deposition Memory Aid" [Kindred Deposition Exhibit 2]	R; H
	339		03/31/21, Enbridge Gantt Chart, "Line 5 - Wisconsin Segment Relocation Project - DNR Permit Delay" [Kindred Deposition Exhibit 3 (ENB00571951)]	
	340		08/25/21, Enbridge Agenda, "Line 5 Wisconsin Segment Relocation Project - Team Meeting" [Kindred Deposition Exhibit 4 (ENB00516986)]	
	341		02/07/20, Water Resources Application for Project Permits, Line 5 Wisconsin Segment Relocation Project [BRB255628]	
	342		06/11/20, Bad River Band Letter to Wisconsin Department of Natural Resources RE: Comments Concerning the Enbridge Energy, LLC Line 5 Relocation around the Bad River Reservation regarding the WDNR Wetland and Water Crossing Permits and the EIS Scoping [BRB255778]	H

	343		07/10/20, Great Lakes Indian Fish & Wildlife Commission Letter to Wisconsin Department of Natural Resources RE: Wetland and Waterway Permit Application to Relocate Enbridge Line 5 [BRB255875]	H, A
	344		12/10/21, Bad River Band Letter to Wisconsin Department of Natural Resources RE: Draft EIS from WDNR for the Proposed Enbridge Line 5 Reroute in Northern Wisconsin [BRB255970]	H, A
	345		12/2021, Wisconsin Department of Natural Resources, Draft Environmental Impact Statement: Proposed Enbridge Line 5 Relocation Project, Ashland, Bayfield, Douglas, and Iron Counties, Wisconsin, Volume I - Draft EIS and Volume II - Appendices, https://widnr.widen.net/s/pmjd16pbpd/el5_dr_afeis_dec2021_vol1-deis and https://widnr.widen.net/s/s6crdq29vc/el5_drafeis_dec2021_vol2-appendices [BRB255973; BRB258267]	A
	346		01/11/20, Wisconsin Department of Natural Resources webpage, Enbridge L5 reroute map, https://widnr.widen.net/s/fjvl8crt9x/enbridge2020map [BRB256375]	A
	347		03/21/22, United States Environmental Protection Agency Letter to Wisconsin Department of Natural Resources RE: Comments on the State Draft Environmental Impact Statement for the Proposed Enbridge Line 5 Relocation Project in Ashland, Bayfield, Douglas, and Iron Counties, Wisconsin [BRB255680]	A, H
	348		03/23/22, National Park Service Letter to Wisconsin Department of Natural Resources, Line 5 EIS Comments [BRB255770]	A, H

	349		04/15/22, Bad River Band Letter to Wisconsin Department of Natural Resources RE: Comments on the Draft Environmental Impact Statement for the Proposed Enbridge Line 5 Relocation Project, Wisconsin DNR File No. WP-IP-NO-2020-2-X02-11T12-18-51 [BRB255902]	A, H
	350		09/18/22, Wisconsin Department of Natural Resources webpage, "Enbridge Pipeline Projects in Wisconsin" [BRB256366]	A, R
	351		01/06/22, United States Army Corps of Engineers Public Notice MVP-2020-00260-WMS [BRB256342]	H
	352		01/26/22 United States Environmental Protection Agency Letter to United States Army Corps of Engineers RE: Public Notice MVP-2020-00260-WMS / Enbridge Line 5 Wisconsin Segment Relocation [BRB256364]	A, H
	353		03/16/22, United States Environmental Protection Agency RE: Public Notice MVP-2020-00260-WMS / Enbridge Line 5 Wisconsin Segment Relocation [BRB255651]	A, H
	354		03/22/22, National Park Service Letter to United States Army Corps of Engineers, Line 5 Reroute Comments [BRB255711]	A, H
	355		03/22/22, Bad River Band Letter to United States Army Corps of Engineers RE: Comments on the Section 404 and Section 10 Permit Application for the Enbridge Line 5 Pipeline Segment Relocation Project, Army Corps of Engineers, St. Paul District, File No. MVP-2020-00260-WMS [BRB255718]	H
	356		04/14/22, United States Environmental Protection Agency Letter to United States Army Corps of Engineers RE: Public Notice MVP-2020-00260-WMS / Enbridge Line 5 Wisconsin Segment Relocation [BRB255898]	H

	357		08/29/22, Midwest Environmental Advocates RE: Requesting Preparation of an EIS, Circulation of a Preliminary EA for Public Comment, and a Public Hearing on U.S. Army Corps of Engineers Permit Application No. 2020-00260-WMS, https://midwestadvocates.org/assets/resources/Line-5-Army-Corps-Letter-2022-08-29.pdf (May Use) [BRB256386]	H
	358		07/25/22, Wisconsin Public Radio, Danielle Kaeding, "Environmentalists say Wisconsin failed to fully review an oil pipeline project's risks. The EPA agrees. EPA issues nearly 200 recommendations for Wisconsin DNR to strengthen its review" [BRB256376]	H
	359		Enbridge webpage, Line 5 Wisconsin Segment Relocation display board, https://www.enbridge.com/-/media/Enb/Documents/Projects/Wisconsin/L5_Wisconsin_Segment_Relocation.pdf (May Use) [BRB255901]	
	360		Enbridge webpage, Line 5 Wisconsin Segment Relocation map, https://www.enbridge.com/-/media/Enb/Documents/Projects/Wisconsin/Line5_Wis_Seg_Relocation_map.pdf (May Use) [BRB256391]	
	361		1/30/2020, Oil Spill Risk Assessment Enbridge – Line 5 Re-Route; Evaluation of Hydrocarbon Releases into the Bad River from Enbridge Line 5: Simulating Hypothetical Releases Southwest of Mellen, WI Using OilMapLand & SIMAP 19-P-205532 Oil Spill Trajectory and Fate Assessment [ENB00394681]	H
	362		01/31/17, Minnesota Public Utilities Commission, Testimony of Paul Eberth, MPUC Docket No. P19/Cn-14-916 and Ppl-15-137 [BRB256659]	H, R
	363		08/11/15, Internal Enbridge email FW: Proposed Line 5 Reroute [ENB00249120]	R

	364		08/11/15, Enbridge document, “Bad River Easement Renewal Summary-Land Services Comments” [ENB00023721]	R
	365		08/15/15, Enbridge document, reroute maps (<i>May Use</i>) [ENB00008317]	
	366		10/13/16, Internal Enbridge email RE: Emailing: Line 5 Reroute CSM Aug 12 OFFICIAL FINAL.pdf [ENB00020820]	R, H
	367		02/13/17, Enbridge document, “Project Development Listing - Executive Summary” and cover email [ENB00014901; ENB00014900]	R
	368		04/21/17, Enbridge PowerPoint, “Overview of PAC Strategy” (<i>May Use</i>) [ENB00013641]	R; H
	369		09/05/17, Line 5 Relocation: August Update & Recommendation for David Bryson [ENB00023908]	R
	370		09/08/17, Enbridge document, “L5 Reroute Risk Summary” [ENB00009459]	
	371		07/23/19, Enbridge PowerPoint, “Liquids Pipelines Bad River Reservation, Line 5” and cover email (<i>May Use</i>) [ENB00392403; ENB00392402]	H
	372		07/23/19, Enbridge PowerPoint, “US Tribal Relations” and cover email (<i>May Use</i>) [ENB00081529; ENB00081528]	D
	373		08/16/19, Internal Enbridge email RE: Bad River Reroute Project - Public Disclosure Plan & Schedule - Please Review [ENB00354304]	
	374		09/11/19, Internal Enbridge email RE: Line 5 in Northern Wisconsin webpage in staging site [ENB00115636]	H
	375		09/24/19, Enbridge PowerPoint, “Line 5 Outside Watershed Route Decision” and cover email (<i>May Use</i>) [ENB00678656; ENB00678654]	R

	376		03/24/20, Internal Enbridge email RE: Board approvals, Line 5 projects [ENB00412191]	
	377		03/24/20, Internal Enbridge email RE: Input requested: Line 5 re-route do nothing case [ENB00315985]	
	378		06/19/17, Internal Enbridge email RE: Bad River Indian Reservation [ENB00023512]	R
	379		02/15/17, Enbridge document, "SUP REG AFE Line 5 Proposal KRM.xlsx" [ENB00020518]	
	380		05/28/21, Internal Enbridge email RE: Decision Records - Op's Support [ENB00574700]	
	381		02/05/13, Enbridge and BIA email RE: Bad river line and RE: right of way applications– Bad River [ENB00001457–ENB00001461]	R
	382		03/05/13, Internal Enbridge email RE: Bad River FYI [ENB00001360]	R
	383		09/13/13, Internal Enbridge email RE: EOT Update [ENB00104033]	R
	384		10/2016 and 07/24/17, Enbridge documents, Corporate Social Responsibility Committee and cover emails [ENB00019333; ENB00019332; ENB00025201; ENB00025200]	R, MD
	385		08/01/19, Enbridge document, "Bad River Update and Next Steps" and cover email [ENB00639219; ENB00639218]	
	386		07/31/19, Enbridge document, "Bad River/Line 5 Strategy on a Page" and cover email [BARR0116579; BARR0116578]	H
	387		2017, Enbridge Indigenous Engagement Risk documents and cover emails [ENB00014796; ENB00013710; ENB00013999]	R, MD

	388		2017, Enbridge Top Indigenous Risk Presentations and cover emails [ENB00013626; ENB00013624; ENB00014761; ENB00014728; ENB00177318; ENB00317805; ENB00317613; ENB00013554; ENB00013516; ENB00317753; ENB00329301; ENB00319630; ENB00014639; ENB00014591; ENB00014567; ENB00014519; ENB00014501; ENB00014483; ENB00319553; ENB00317693; ENB00319415; ENB00014145; ENB00014145; ENB00014088; ENB00015115; ENB00015066; ENB00015012; ENB00015059; ENB00015011; ENB00319294]	R, D, MD
	389		2017, Enbridge “Extreme High” and “High” Indigenous Risks Dashboards [ENB00177287; ENB00014730; ENB00013517; ENB00014592; ENB00014520; ENB00014484; ENB00014089; ENB00015068; ENB00015068; ENB00014021]	R, D, MD
	390		04/23/19, Internal Enbridge email RE: Bad River/Mike Wiggins updates [ENB00674924]	
	391		11/05/19, Enbridge document, “Meeting Notes & Action Item Tracking Bad River L5 WSR Tribal Team” [ENB00358395]	R
	392		1/03/20, Enbridge PowerPoint, “Operation Driven Operating Threats” [ENB00411975]	R
	393		07/25/17, Enbridge document, “Superior Region Tribal Engagement – Notes for board discussion” [ENB00014449]	R
	394		09/05/19, Enbridge document, “Bad River Strategy Integrated Engagement and Communications Plan: On- and Off-reservation” [ENB00310696]	R, H
	395		06/08/20, Internal Enbridge email RE: Bad River Pipe Removal Budgeting [ENB00242135]	R

	396		08/2022, Enbridge's Indigenous Peoples Policy and 2018 Discussion Paper [Eberth Deposition Exhibits 1-7]	R
	397		Summary: Bad River Band ownership interests in parcels subject of the Band's claims	Enbridge preserves objections to summary exhibit once reviewed; A, H.
	398		10/11/19, United States Department of the Interior Bureau of Indian Affairs Tract History Reports [BRB003750; BRB002928; BRB003538; BRB003706; BRB003726; BRB003146; BRB003761; BRB002945; BRB003677; BRB003567; BRB002884; BRB003803; BRB003141; BRB002873; BRB002921]	MD; R
	399		11/26/19, United States Department of the Interior Bureau of Indian Affairs Title Status Reports [BRB004283; BRB004205; BRB004251; BRB004273; BRB004278; BRB004225; BRB004288; BRB004210; BRB004267; BRB004257; BRB004194; BRB004295; BRB004220; BRB004189; BRB004200]	MD; R
	400		01/04/17, Bad River Band Tribal Council Resolution No. 1-4-17-738 [ENB00017154–17155]	H
	401		10/30/19, Bad River Band Tribal Council Resolution No. 10-30-19-226 [BRB054208]	H
	402		Summary: Ashland County Parcels at the Bad River Meander near Line 5 [WWE Report Fig. E-1, E-2]	Enbridge preserves objections to summary exhibit once reviewed;
	403		05/19/22, Enbridge document, "Land Right Acquisitions Bad River Reservation" [McKay Deposition Exhibit 2]	R
	404		07/19/19, Enbridge document, "Bad River Update July 8-14, 2019" [ENB00316374]	R
	405		09/24/19, Enbridge document, "Lease and Option to Purchase Agreement" [ENB00004912]	
	406		11/08/19, Enbridge document, "Purchase Agreement" and cover email [ENB00671707; ENB00671704]	

	407		10/31/19, Enbridge document, “Lease and Option to Purchase Agreement” and cover email [ENB00659297; ENB00659296]	R
	408		Curriculum Vitae of Joshua Anderson (<i>May Use</i>)	H
	409		Curriculum Vitae of Christopher Barber (<i>May Use</i>)	R, A
	410		Curriculum Vitae of Sarah Emerson (<i>May Use</i>)	R, A
	411		Curriculum Vitae of Dan Leistra-Jones (<i>May Use</i>)	R, A
	412		Curriculum Vitae of Randy Meyer (<i>May Use</i>)	R, A
	413		Curriculum Vitae of Ian Paton (<i>May Use</i>)	R, A
	414		Curriculum Vitae of Jill Steiner (<i>May Use</i>)	R, A
	415		Curriculum Vitae of Mark Weesner (<i>May Use</i>)	
	416		04/28/22, Plaintiff Bad River Band’s Third Revised Notice of Deposition Pursuant to Federal Rule 30(b)(6) of Defendant Enbridge Energy (<i>May Use</i>) [Kindred Deposition Exhibit 1]	R
	417		06/24/22, Plaintiff Bad River Band’s Fourth Revised Notice of Deposition, Topics V-VII, Pursuant to Federal Rule 30(b)(6) of Defendant Enbridge Energy (<i>May Use</i>) [Yaremko Deposition Exhibit 1]	R
	418		04/21/22 Declaration of Mark Maxwell (<i>May Use</i>) [Case Docket #198]	
	419		12/23/21, Defendants’ Supplemental Responses to Plaintiffs’ First Set of Interrogatories	R
	420		01/21/21, Enbridge’s Supplemental Responses to Interrogatories 7-9, 11, 12 in Plaintiffs’ First Set of Interrogatories (<i>May Use</i>)	R
	421		03/24/22, Defendants’ Objections and Responses to Plaintiffs’ Fourth Set of Interrogatories	R

	422		Various Demonstrative Exhibits	Enbridge preserves objections to summary exhibit once reviewed; I, MD, A, R, F.
	423		Various Illustrative Exhibits	Enbridge preserves objections to summary exhibit once reviewed; I, MD, A, R, F.
	424		Various statutory and regulatory provisions	Enbridge preserves objections to summary exhibit once reviewed; I, MD, A, R, F.
	425		Additional exhibits related to forthcoming motion(s)	Enbridge preserves objections to summary exhibit once reviewed; I, MD, A, R, F.
	426		Additional exhibits as necessary upon seeing Enbridge's 26(a)(3) disclosures	Enbridge preserves objections to summary exhibit once reviewed; I, MD, A, R, F.

**ABBREVIATION AND FEDERAL RULE OF EVIDENCE KEY
TO ENBRIDGE’S OBJECTIONS TO PLAINTIFF’S EXHIBIT LIST**

SHORTHAND KEY	OBJECTION	APPLICABLE RULE(S)
A	Authenticity	FRE 901
D	Duplicate/Best Evidence	FRE 401, 402, 403, 1001, 1002, 1003
F	F	FRE 602, 901
H	Hearsay	FRE 801, 802, 805
I	Incomplete	FRE 106, 401, 402, 403
MD	Multiple Documents	FRE 401, 402, 403, 901
R	Relevance	FRE 401, 402, 403
408	Settlement Communication	FRE 408
P	Privileged	FRE 501, 502
SEO	Enbridge preserves its right to assert additional objections to the Band’s summary exhibit once exchanged and reviewed	---